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**TRANSMITTAL
FORM**

AUG 06 2007

*(be used for all correspondence after initial filing)*Total ~~TRADEMARK~~ Pages in This Submission

Application Number 10/553,519

Filing Date August 01, 2006

First Named Inventor Georg N. Duda

Art Unit 3736

Examiner Name Not Yet Assigned

Attorney Docket Number 5312-053065

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Form PTO/SB/08a-b; copies of cited foreign reference and non-literature documents; and return receipt postcard.
<input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Webb Law Firm		
Signature			
Printed Name	Richard L. Byne		
Date	August 2, 2007	Reg. No.	28,498

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Florence P. Trevethan	Date	August 2, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 10/553,519
Paper Dated August 2, 2007
OIPA Attorney Docket No. 5312-053065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OIPA
AUG 06 2007
PATENTS & TRADEMARKS
Office of the Commissioner
Application No. : 10/553,519
Applicants : Georg N. Duda et al.
Filed : August 1, 2006
Title : Method For Simulating Musculoskeletal Strains On A Patient
Art Unit : 3736 Confirmation No. : 1658
Examiner Name : Not Yet Assigned Customer No. : 28289

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants submit this Supplemental Information Disclosure Statement (IDS) which includes a completed Form PTO/SB/08a-b. The cited U.S. patent is not enclosed pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for U.S. national patent applications filed after June 30, 2003.

This application is the U.S. national phase of PCT Application No. PCT/DE04/00839, filed April 16, 2004.

CERTIFICATE OF MAILING

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Florence P. Trevethan

(Name of Person Mailing Paper or Fee)

Florence P. Trevethan 08/02/2007
Signature Date

<http://www.innovations-report.de/html/berichte/messenachrichten/bericht-6124.html> -Internet press release from Siemens AG on November 20, 2001 and J. Babisch et al., "Biomechanisch Fundierte Huftoperationsplanung mit Hilfe des Softwaremoduls EndoMap", 2002, pp. 39-34, Electromedica, vol. 70 which are identified on PTO/SB/08b were first cited an International Preliminary Report on Patentability (IPRP), dated July 15, 2005 and/or in an International Search Report (ISR), dated May 2, 2005 in the underlying PCT application and are relevant for the reasons indicated therein. A copy of the ISR is not being submitted with this Supplemental IDS as it was received by the United States Patent and Trademark Office, as indicated in the Notice of Acceptance of Application under 35 U.S.C. § 371 and 37 CFR § 1.494 or § 1.495, dated August 29, 2006. A copy of the IPRP is not being submitted with this Supplemental IDS as it was previously submitted with the original IDS dated January 3, 2007.

Additionally, the internet press release from Siemens AG dated November 20, 2001 <http://www.innovations-report.de/html/berichte/messenachrichten/bericht-6124.html> is submitted herewith and is relevant because it describes the EndoMap surgical planning software from Siemens AG, for 2D pre-operative placement and orientation of implants for use with the entire lower limb, more specifically for hip surgery.

J. Babisch et al., "Biomechanisch Fundierte Huftoperationsplanung mit Hilfe des Softwaremoduls EndoMap", 2002, pp. 39-36, Electromedica, vol. 70, is not submitted herewith as it was previously submitted in the IDS dated January 3, 2007. J. Babisch et al. is relevant because it describes a software module for planning hip surgery. The module attempts to identify a number of anatomical landmarks and describes 2D geometrical relationships. By using these trigonometrical relationships, the software attempts to determine static 2D (frontal plane) forces based upon the model of Blumentritt S. (1988) Gegenbaurs Morphol. 134:221-240 and Blumentritt S. (1990) Gegenbaurs Morphol. 136:667-693 and thereby assigns a hip biomechanic score (the BLB score) according to a number of factors including component positions and these 2D hip forces.

Blumentritt S. (1990) Gegenbaurs Morphol. 136:667-693 was submitted with the IDS dated January 3, 2007 and is, therefore, not submitted herewith. A copy of Blumentritt S. (1988) Gegenbaurs Morphol. 134:221-240 is submitted herewith and is further relevant for the reasons indicated in its corresponding English-language abstract.

DE 297 19 250 is relevant as it describes a scheme that primarily involves a measurement system that continually and automatically assesses body segment (particularly

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Attorney Docket No. 5312-053065

the spine) pose and kinematics (movement). The system uses goniometers (angle measurement sensors), measurement and storage electronics, and a power supply (energy source) to measure the temporal course of body segment angles, speeds and accelerations. Furthermore, this concept involves the use of a temporally synchronized inclinometer and gyroscope to aid in the measurement of poses beyond 180°. With the addition of anthropometric data, the device is able to calculate ground reaction force and then compare these forces directly with those measured using a force plate. All data from this system is simply stored on e.g. a memory stick, for further analysis at a later time. Furthermore, U.S. Patent 6,152,890 is cited herein as an English-language equivalent to DE 297 19 250.

The letter dated November 21, 2006 was filed with the European Patent Office during the prosecution of corresponding application PCT/DE04/00839 and is relevant for the reasons identified therein.

Pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed to be due for the submission of this Supplemental Information Disclosure Statement, as it is being submitted before the mailing date of a first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and one (1) copy of this Supplemental Information Disclosure Statement are enclosed

Respectfully submitted,

THE WEBB LAW FIRM

By 

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Substitute for form 1449A/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/553,519
		Filing Date	August 1, 2006
		First Named Inventor	Georg N. Duda
		Art Unit	3736
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	5312-053065
Sheet	1	of	2

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	2.	DE 297 19 250 U1	05/07/1998	Hauptverband der Gewerblichen		

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/553,519
		Filing Date	August 1, 2006
		First Named Inventor	Georg N. Duda
		Art Unit	3736
		Examiner Name	Not Yet Assigned
Sheet	2	of	2
		Attorney Docket Number	
		5312-053065	

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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